REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 92-97 are pending in the application. Claim 92 is amended by the present amendment. Support for amended Claim 92 can be found in the original specification, claims and drawings.[1] No new matter is presented.

In the Office Action, Claims 92-97 are rejected under 35 U.S.C. § 112, second paragraph; Claims 92, 93 and 95 are rejected under 35 U.S.C. § 103(a) as unpatentable over Flanagin et al. (U.S. Patent 7,149,813, Flanagin) in view of Broad et al. (U.S. Pub. 2004/0003057, herein Broad); Claim 94 is rejected under 35 U.S.C. § 103(a) as unpatentable over Flanagin in view of Broad and Leach et al. (U.S. Pat. 6,108,715, herein Leach); Claim 96 is rejected under 35 U.S.C. § 103(a) as unpatentable over Flanagin in view of Broad and Svensson et al. (U.S. Pub. 2003/0125063, Svensson); and Claim 97 is rejected under 35 U.S.C. § 103(a) as unpatentable over Flanagin in view of Broad and Mukundan et al. (U.S. Pub. 2007/0016639, Mukundan).

The Office Action rejects Claims 92-97 under 35 U.S.C. § 112, second paragraph, as indefinite.

In response, Claim 92 is amended to clarify that the "another" communication apparatus is a "second" communication apparatus, as recommended in the Office Action. Further, Claim 92 is amended to clarify that the acquisition unit is configured to "acquire the first operation response associated with the first operation request from the first storage unit when a current status of the first operation response corresponds to a processed status in the status storage unit, and to acquire the second operation request from the second storage unit when a current status of the second operation request corresponds to a not-processed status in

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[1] e.g., specification, at least at Fig. 8 and pp. 48-58.

the status storage unit". Thus, Claim 92 is amended to clarify that the "operation response" recited in the "acquisition unit" feature corresponds to the "first operation response", and that the first operation response and second operation request are retrieved from the first and second storage units, respectively, based on their status as indicated in the status storage unit.

Therefore, Claim 92 particularly points out and distinctly claims the subject matter which Applicant regards as the invention. Accordingly, Applicant respectfully requests that the rejection of Claims 92-97 under 35 U.S.C. § 112, second paragraph, be withdrawn.

The Office Action rejects Claims 92, 93 and 95 under 35 U.S.C. § 103(a) as unpatentable over Flanagin in view of Broad. In response to this rejection, Applicant respectfully submits that amended independent Claim 92 recites novel features clearly not taught or rendered obvious by the applied references.

Amended independent Claim 92 recites a communication apparatus adapted to communicate with a second communication apparatus as a communication counterpart, the communication apparatus comprising:

> a first storage unit configured to store a first operation request from the second communication apparatus ... and a first operation response to the first operation request;
> a second storage unit configured to store a second operation request for requesting the second communication apparatus to perform a predetermined operation;
> a status storage unit configured to store status information indicating which of not-processed status, presently-processing status and processed status as a current status of the first and second operation requests;
> an acquisition unit configured to acquire the first operation response associated with the first operation request from the first storage unit when a current status of the first operation response corresponds to a processed status in the status storage unit, and to acquire the second operation request from the second storage unit when a current status of the second operation request corresponds to a not-processed status in the status storage unit; and
> a transmission unit configured to transmit a communication request to the second communication apparatus, the communication request including the first operation response and the second operation request acquired by the acquisition unit.

Thus, the communication apparatus includes both a first storage unit and a second storage unit, and the first operation response is retrieved from the first storage unit based on the status of the first operation response being "processed", while the second operation request is retrieved from the second storage unit when the status of the second operation request is "not processed". The retrieved first operation response and second operation request are then transmitted to the second communication apparatus.

In rejecting Claim 92, the Office Action concedes that Flanagin fails to disclose "state storing specific status information indicating which of not-processed status, presently-processing state, and processed status as a current status of the requests." In an attempt to remedy this deficiency, the Office Action relies on Broad, and asserts that it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references to arrive at Applicant's claims. Applicant respectfully traverses this rejection, as Flanagin and Broad, neither alone, nor in combination, teach or suggest acquiring a first operation response from a first storage unit based n the status of the first operation response, and acquiring a second operation request from a second storage unit based on the status of the second operation request, as clarified in amended independent Claim 92.

As noted above, the Office Action concedes that Flanagin fails to disclose storing the status of various requests and request responses. Therefore, it follows that Flanagin also fails to teach or suggest acquiring the respective requests and responses from first and second storage units, respectively, based on the status of the request and response, as claimed.

Broad, the secondary reference, describes a method for importing data from a client system to a destination application on a server. At the client 20, the method includes identifying a type and location of a plurality of data items for importing, and requesting import of the data items. At the server 30, the method includes receiving the requests and retrieving the data from the client system for storage at the server. The server 30 also

individually retrieves the stored data items and loads the data items to a destination application. During the loading, the server generates and stores a log that includes status information regarding the loading of each data item, such as statistics and errors that occur during loading.

Broad, however, fails to teach or suggest "an acquisition unit configured to acquire the first operation response associated with the first operation request from the first storage unit when a current status of the first operation response corresponds to a processed status in the status storage unit, and to acquire the second operation request from the second storage unit when a current status of the second operation request corresponds to a not-processed status in the status storage unit", as recited in amended independent Claim 92.

In rejecting the claimed features directed to storing status information, the Office Action relies on paragraphs [0013] and [0032] – [0033] of Broad. These cited portions of Broad describe that the server generates and stores a log that includes status information regarding the loading of each data item, as noted above. More particularly, Broad describes that when data is loaded to the destination application, upload status information, such as "Completed", "Pending", etc, may be stored. Broad, however, fails to teach or suggest that this status information is used to acquire an operation response from a first storage unit, and a second operation request from a second storage unit, as recited in amended independent Claim 92.

Instead, as described at paragraphs [0034] – [0035] of Broad, when a user requests the import of multiple data records, the log can be referenced by the user to determine an interim status of the user's request. For example, if a user requests that data records be imported, then the user may evaluate the log to determine whether the import of his/her requests has begun or whether any errors have occurred during the input. Thus, the status information in Broad

is not used to acquire data, as claimed, but is instead used merely to allow a user to determined the status of an upload.

Therefore, <u>Flanagin</u>, even if combined with <u>Broad</u>, fails to teach or suggest a communication apparatus that includes "an acquisition unit configured to acquire the first operation response associated with the first operation request from the first storage unit when a current status of the first operation response corresponds to a processed status in the status storage unit, and to acquire the second operation request from the second storage unit when a current status of the second operation request corresponds to a not-processed status in the status storage unit", along with all the additional limitations recited in amended independent Claim 92.

Accordingly, Applicant respectfully requests that the rejection of Claims 92 (and 93 and 95, which depend therefrom) under 35 U.S.C. § 103 be withdrawn
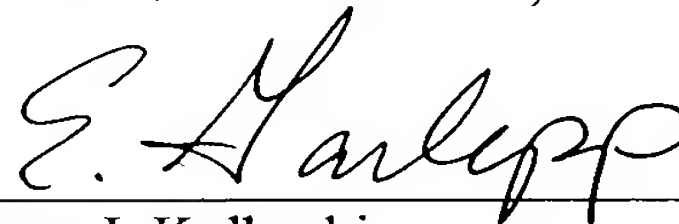
Regarding the rejections of Claims 94, 96 and 97 under 35 U.S.C. § 103(a) as unpatentable over <u>Flanagin</u> in view of <u>Broad</u> and <u>Leach</u>, <u>Svensson</u> or <u>Mukundan</u>, these claims depend from independent Claim 92 and are believed to be patentable for at least the reasons discussed above. Moreover, Applicant respectfully submits that none of <u>Leach</u>, <u>Svensson</u> nor <u>Mukundan</u> remedies the above noted deficiencies of <u>Flanagin</u> and <u>Broad</u>.

Accordingly, Applicant respectfully requests that the rejection of Claims 94, 96 and 97 under 35 U.S.C. § 103 be withdrawn

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 92-97 is definite and patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

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